

21-VARIANCE-0005

21-WAIVER-0006

**Mayer Avenue Variance and
Waivers**



**Louisville Metro Board of Zoning Adjustment
Public Hearing**

Zach Schwager, Planner I

March 1, 2021

Request

- **Variance:** from Land Development Code section 5.4.1.D.2 to allow a private yard area to be less than the required 30% of the area of the lot
- **Waiver:** from Land Development Code section 5.4.1.E.3 to allow parking access to be achieved from the primary street where alley access is available
- **Waiver:** from Land Development Code section 5.4.1.C.4 to allow a detached garage to be located in the principal structure area

Location	Requirement	Request	Variance
Private Yard Area	3,510 sq. ft.	0 sq. ft.	3,510 sq. ft.

Case Summary / Background

- The subject property is located in the Schnitzelburg neighborhood on the south side of Mayer Avenue west of Poplar Level Road and currently contains a 1 ½ story single-family residence.
- It is zoned R-5 Residential Single Family in the Traditional Neighborhood Form District.

Case Summary / Background

- The property is a multi-frontage lot on Mayer Avenue and Clarks Lane.
- The property and surrounding properties currently have access from Clarks Lane.
- Clarks Lane is the primary street because it is classified as a primary collector and Mayer Avenue is classified as a local road.

Case Summary / Background

- The applicant is proposing to construct a detached garage in the principal structure area and add access to Mayer Avenue.
- Due to the street classifications, the private yard area is between the principal structure and Mayer Avenue; therefore, the existing private yard area is zero sq. ft. and the variance is to bring this into compliance.

Case Summary / Background

- There are four basic components of a lot or building site in the Traditional Neighborhood Form District: the public realm area, the principal structure area, the private yard area, and the accessory use/structure area.

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Case Summary / Background

- The public realm area is defined as the area between the public right-of-way and the principal structure area.
- The principal structure area is the area where the principal structure is located, and the private yard area is between the principal structure area and the accessory use/structure area.

Case Summary / Background

- The waiver to allow parking access to be achieved from the primary street where alley access is available is also to bring the existing site conditions into compliance.

Case Summary / Background

- The Land Development Code (LDC) states, “Lots with more than one street frontage and not a corner lot shall use the primary street for the calculation of the public realm area...The secondary street shall be used for the location of the rear yard and accessory structure area.”

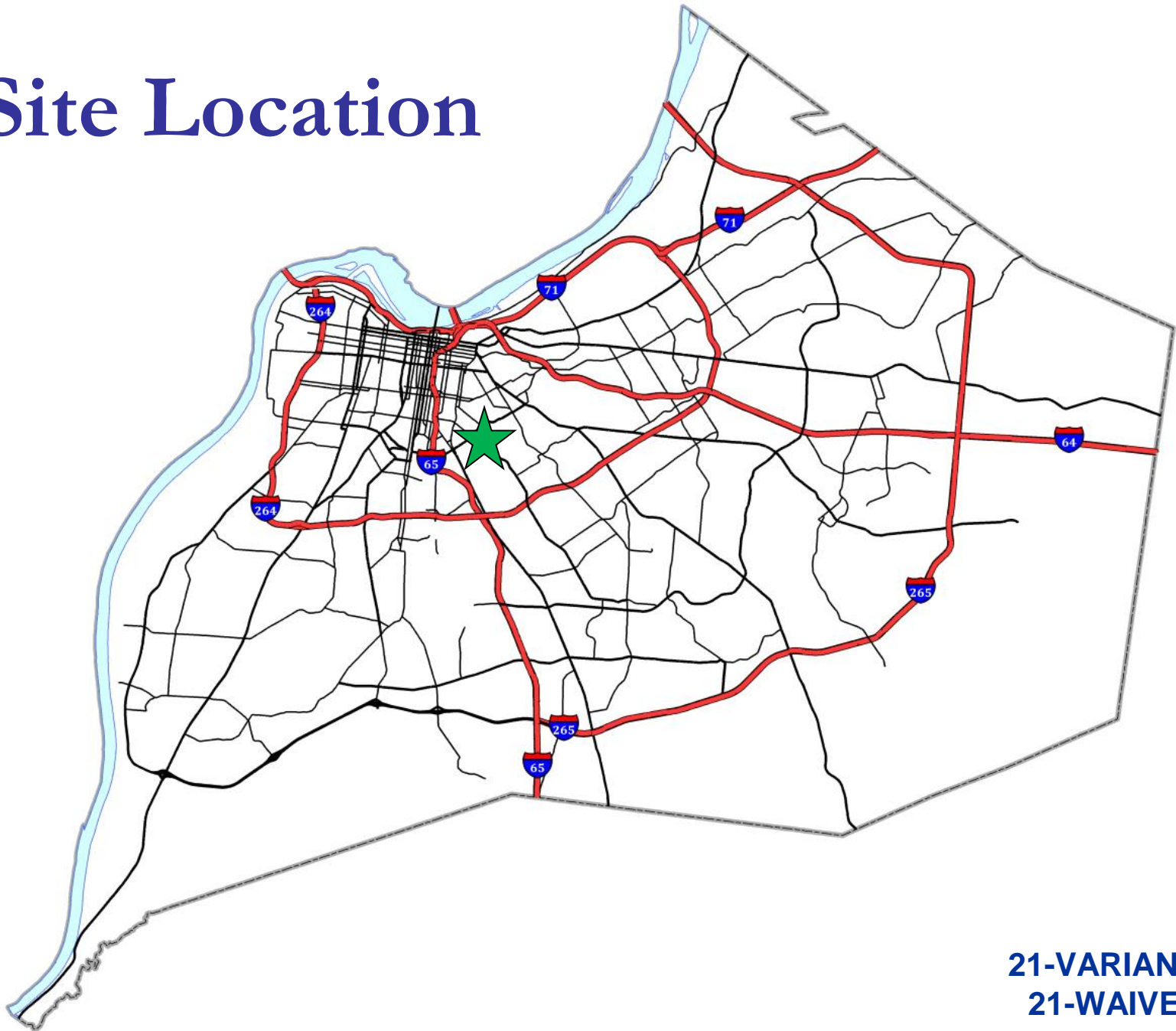
Case Summary / Background

- The applicant is requesting access to Mayer Avenue, which is the secondary street and would be in compliance with the LDC.
- The waiver is to bring the existing access to Clarks Lane into compliance.

Case Summary / Background

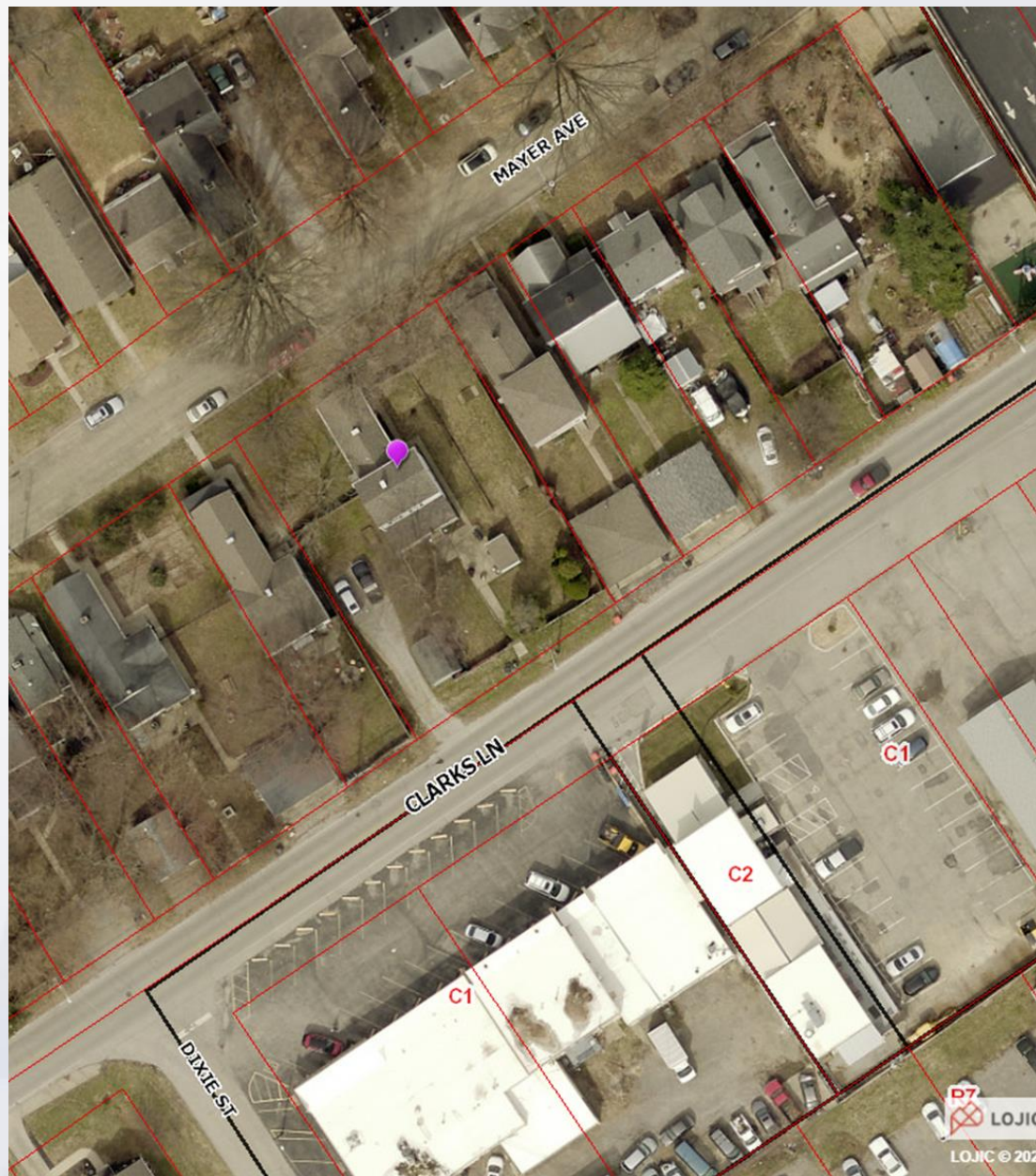
- The final request is to allow an accessory structure to be in the principal structure area.
- The applicant is proposing to construct the accessory structure adjacent to the principal structure, which would be in the principal structure area.

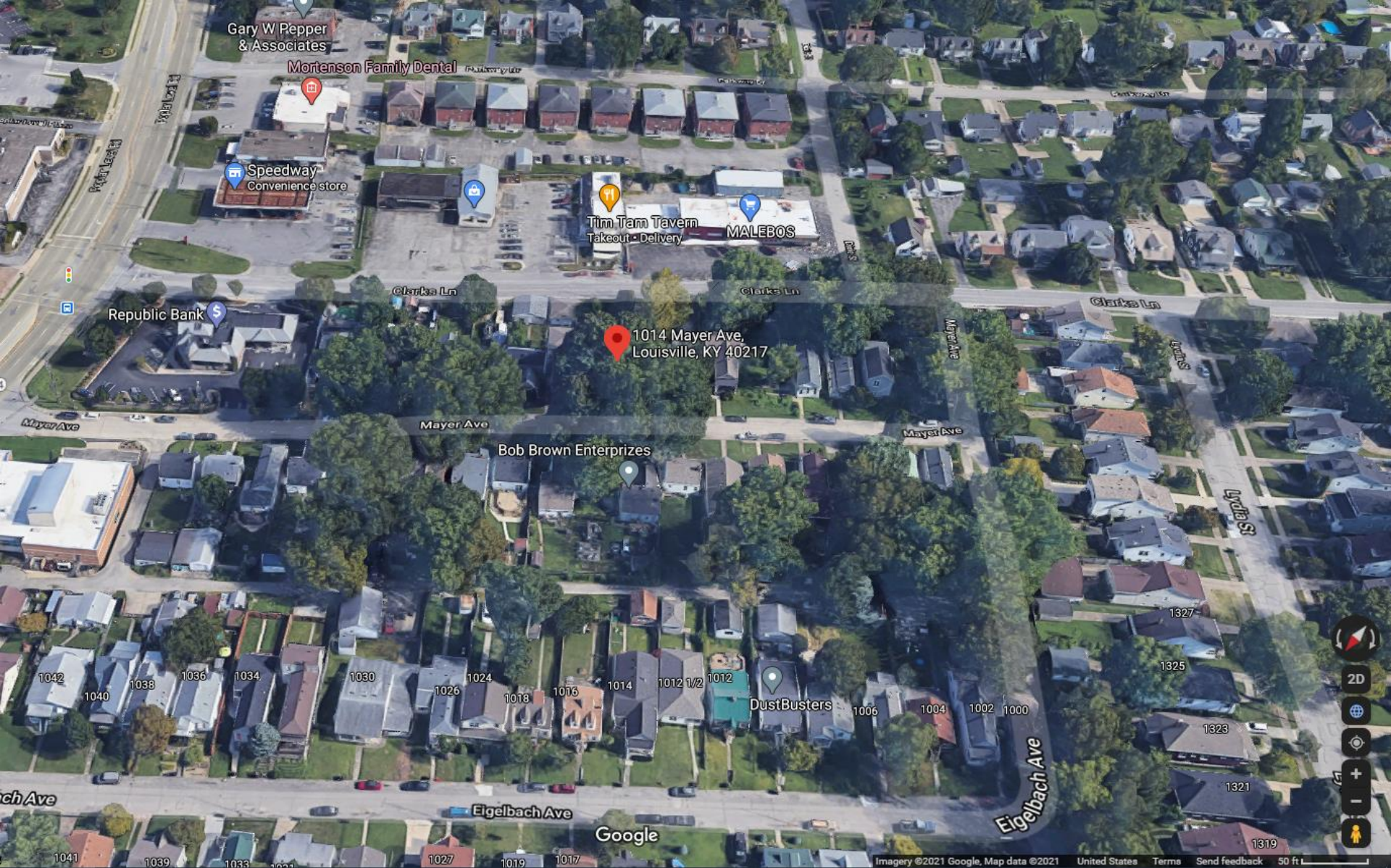
Site Location



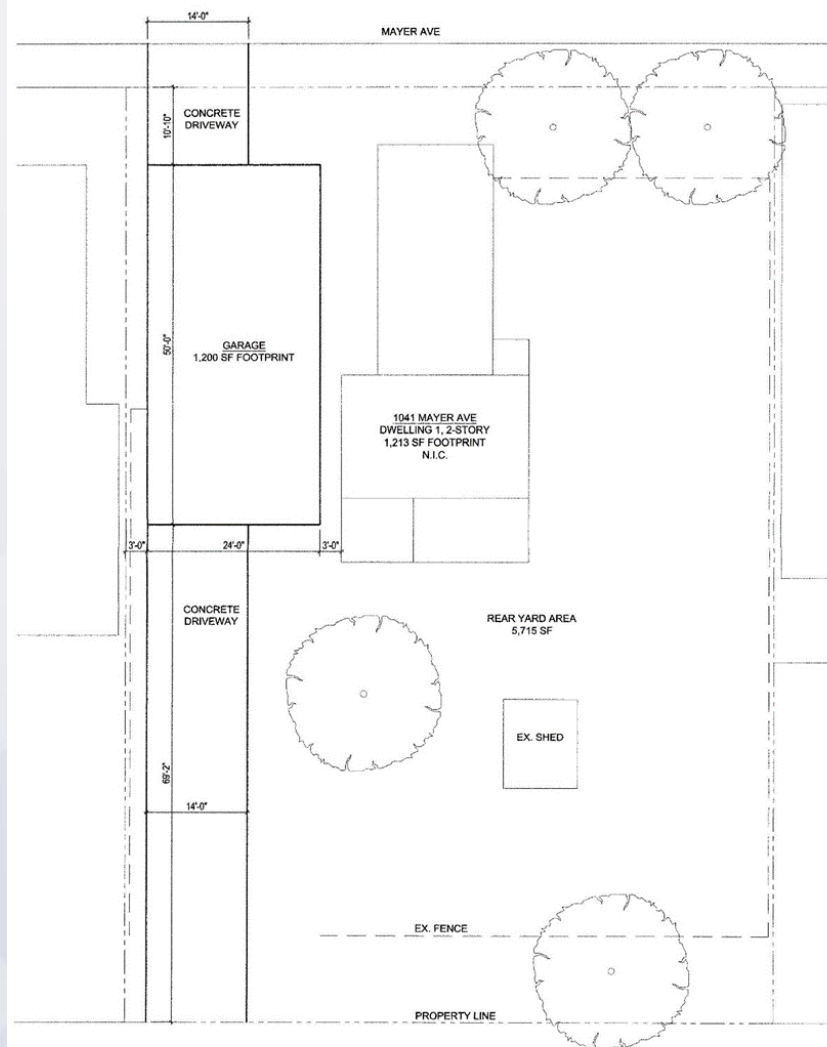
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Site Plan



SITE PLAN
3/32" = 1'-0"
01-11-21

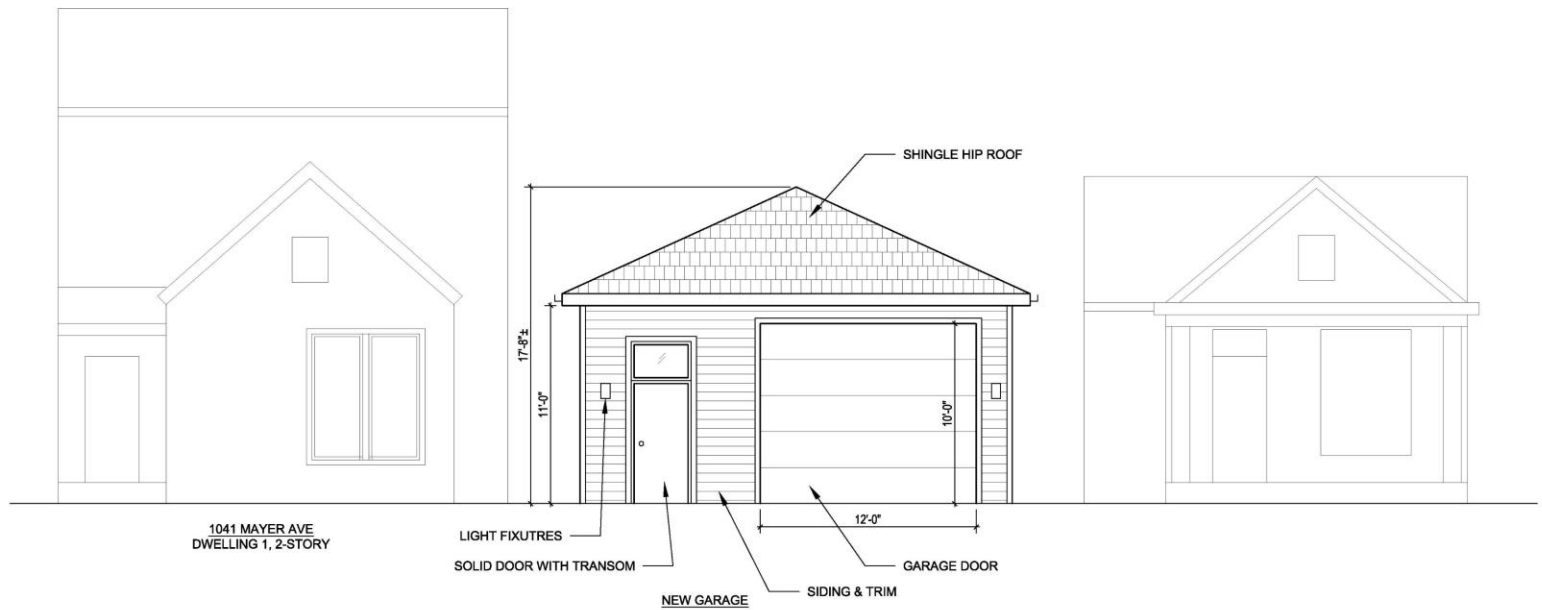


CONCEPT
ARCHITECTS

21-VARIANCE-0005

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Elevations



① **MAYER ELEVATION**
SCALE: 3/16" = 1'-0"


CONCEPT
ARCHITECTS
502-653-9972
02/18/2021

Site Photos-Subject Property



Site Photos-Subject Property



Property to the left.

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Site Photos-Subject Property



Property to the right.

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Site Photos-Subject Property



Properties across Mayer Avenue.

Site Photos-Subject Property



Site Photos-Subject Property



Conclusion

- Staff finds that the requested variance is adequately justified and meets the standard of review.
- Staff finds that the requested waiver to allow parking access to be achieved from the primary street where alley access is available is adequately justified and meets the standard of review.

Conclusion

- Staff finds that the requested waiver to allow a detached garage to be located in the principal structure area is not adequately justified and does not meet the standard of review.

Conclusion

- Staff recommends that if the Board agrees with the recommendation to deny the waiver to allow a detached garage to be located in the principal structure area that they delay action on the other requests until the plan can be revised based on the Board's direction.

Required Action

- **Variance:** from Land Development Code section 5.4.1.D.2 to allow a private yard area to be less than the required 30% of the area of the lot
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